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12 GOOGLE LLC

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION
16

17 MISAEL AMBRIZ, JIMMY NIMMO,
18 CHRISTOPHER BISSONNETTE, AHMAD
MEHDIPOUR, EUGENE ERLIKH, JAMES
19 FOX, PETER SAMISH, and CHRISTOPHER
BARULICH, individually and on behalf of all
other persons similarly situated,

20 Plaintiffs,

21 v.

22 GOOGLE LLC,

23 Defendant.
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27
28

Case No. 3:23-cv-05437-RFL

**GOOGLE LLC'S ANSWER TO
CONSOLIDATED AMENDED CLASS
ACTION COMPLAINT**

Complaint Filed: October 23, 2023
Amended Complaint Filed: October 7, 2024

1 Google LLC (“Google”) answers Plaintiffs’ Consolidated Amended Class Action
2 Complaint (the “Complaint”) as follows:

3 **RESPONSE TO PARAGRAPH NO. 1:**

4 Google admits that it has developed and provided a customer service platform that has been
5 called Google Cloud Contact Center AI (“CCAI”). Google otherwise denies the allegations in this
6 paragraph.

7 **RESPONSE TO PARAGRAPH NO. 2:**

8 Google admits that Verizon Communications, Inc. (“Verizon”), GoDaddy Group Inc.
9 (“GoDaddy”), and Home Depot U.S.A., Inc. (“Home Depot”) are or have previously been
10 customers of Google. Google denies the allegations as to Hulu, LLC (“Hulu”). Google lacks
11 sufficient information to admit or deny the remaining allegations of this paragraph, and on that
12 basis denies them.

13 **RESPONSE TO PARAGRAPH NO. 3:**

14 Google admits that Verizon, GoDaddy, and Home Depot are or have previously been
15 customers of Google. Google denies the allegations as to Hulu. Google lacks sufficient
16 information to admit or deny the remaining allegations of this paragraph, and on that basis denies
17 them.

18 **RESPONSE TO PARAGRAPH NO. 4:**

19 This paragraph contains Plaintiffs’ characterizations and legal theory in this action, which
20 do not require a response. To the extent a response is required, Google denies the allegations and
21 characterizations of this paragraph.

22 **RESPONSE TO PARAGRAPH NO. 5:**

23 This paragraph states a legal conclusion, which does not require a response. To the extent
24 a response is required, Google denies the allegations and characterizations of this paragraph.

25 **RESPONSE TO PARAGRAPH NO. 6:**

26 This paragraph contains Plaintiffs’ characterizations and legal theory in this action, which
27 do not require a response. To the extent a response is required, Google denies the allegations and
28 characterizations of this paragraph.

RESPONSE TO PARAGRAPH NO. 7:

Google lacks sufficient information to admit or deny the allegations of this paragraph, and on that basis denies them.

RESPONSE TO PARAGRAPH NO. 8:

Google lacks sufficient information to admit or deny the allegations of this paragraph, and on that basis denies them.

RESPONSE TO PARAGRAPH NO. 9:

Google lacks sufficient information to admit or deny the allegations of this paragraph, and on that basis denies them.

RESPONSE TO PARAGRAPH NO. 10:

Google lacks sufficient information to admit or deny the allegations of this paragraph, and on that basis denies them.

RESPONSE TO PARAGRAPH NO. 11:

Google lacks sufficient information to admit or deny the allegations of this paragraph, and on that basis denies them.

RESPONSE TO PARAGRAPH NO. 12:

Google lacks sufficient information to admit or deny the allegations of this paragraph, and on that basis denies them.

RESPONSE TO PARAGRAPH NO. 13:

Google lacks sufficient information to admit or deny the allegations of this paragraph, and on that basis denies them.

RESPONSE TO PARAGRAPH NO. 14:

Google lacks sufficient information to admit or deny the allegations of this paragraph, and on that basis denies them.

RESPONSE TO PARAGRAPH NO. 15:

Google admits that a company called Google LLC is a Delaware limited liability company with a principal place of business located at 1600 Amphitheatre Parkway, Mountain View, California, 94043. Google further admits that it offers certain services in California and in other

1 states. Google further admits that it has developed and provided a customer service platform that
 2 has been called Google Cloud Contact Center AI. Google otherwise denies the allegations in this
 3 paragraph.

4 **RESPONSE TO PARAGRAPH NO. 16:**

5 Google admits that Verizon, GoDaddy, and Home Depot are or have previously been
 6 customers of Google. Google denies the allegations as to Hulu. This paragraph otherwise states
 7 legal conclusions to which no response is required. To the extent a response is required, Google
 8 denies the allegations in this paragraph.

9 **RESPONSE TO PARAGRAPH NO. 17:**

10 This paragraph states legal conclusions to which no response is required.

11 **RESPONSE TO PARAGRAPH NO. 18:**

12 This paragraph states legal conclusions to which no response is required.

13 **RESPONSE TO PARAGRAPH NO. 19:**

14 This paragraph states legal conclusions to which no response is required.

15 **RESPONSE TO PARAGRAPH NO. 20:**

16 To the extent the paragraph purports to quote from a statute, Google refers to the statute
 17 itself for its full content. This paragraph otherwise contains Plaintiffs' characterizations and legal
 18 theory in this action, which do not require a response. To the extent a response is required, Google
 19 denies the remaining allegations and characterizations of this paragraph.

20 **RESPONSE TO PARAGRAPH NO. 21:**

21 To the extent the paragraph purports to quote from a California state court decision, Google
 22 refers to the decision itself for its full content. This paragraph otherwise contains Plaintiffs'
 23 characterizations and legal theory in this action, which do not require a response. To the extent a
 24 response is required, Google denies the remaining allegations and characterizations of this
 25 paragraph.

26 **RESPONSE TO PARAGRAPH NO. 22:**

27 To the extent the paragraph purports to quote from a statute, Google refers to the statute
 28 itself for its full content. This paragraph otherwise contains Plaintiffs' characterizations and legal

theory in this action, which do not require a response. To the extent a response is required, Google denies the remaining allegations and characterizations of this paragraph.

RESPONSE TO PARAGRAPH NO. 23:

This paragraph states legal conclusions to which no response is required. To the extent a response is required, Google denies the allegations in this paragraph.

RESPONSE TO PARAGRAPH NO. 24:

To the extent the paragraph purports to quote from a statute, Google refers to the statute itself for its full content. This paragraph otherwise contains Plaintiffs' characterizations and legal theory in this action, which do not require a response. To the extent a response is required, Google denies the remaining allegations and characterizations of this paragraph.

RESPONSE TO PARAGRAPH NO. 25:

This paragraph states legal conclusions to which no response is required. To the extent a response is required, Google denies the allegations in this paragraph.

RESPONSE TO PARAGRAPH NO. 26:

To the extent this paragraph purports to quote from the website address shown in the footnote, Google denies that the quoted language is available at that address.

RESPONSE TO PARAGRAPH NO. 27:

Google admits that CCAI offers a "virtual agent" as a first point of contact. This paragraph otherwise contains Plaintiffs' characterizations and legal theory in this action, which do not require a response. To the extent a response is required, Google denies the remaining allegations and characterizations of this paragraph.

RESPONSE TO PARAGRAPH NO. 28:

Google admits that businesses may choose to allow the customer to request to speak with a live agent through CCAI, and may choose to deploy CCAI to support the human customer agent with real-time suggestions (including support articles) and a transcript of the prior conversation with the virtual agent. To the extent this paragraph purports to paraphrase and characterize the contents of a video, Google refers to the video itself for its full content. This paragraph otherwise contains Plaintiffs' characterizations in this action, which do not require a response. To the extent

1 a response is required, Google denies the remaining allegations and characterizations of this
2 paragraph.

3 **RESPONSE TO PARAGRAPH NO. 29:**

4 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
5 do not require a response. To the extent a response is required, Google denies the remaining
6 allegations and characterizations of this paragraph.

7 **RESPONSE TO PARAGRAPH NO. 30:**

8 Google admits that some businesses may choose to deploy CCAI's "agent assist" feature to
9 support the human customer agent with real-time suggestions (including support articles). To the
10 extent this paragraph purports to quote in part the contents of a video, Google refers to the video
11 itself for its full content. This paragraph otherwise contains Plaintiffs' characterizations in this
12 action, which do not require a response. To the extent a response is required, Google denies the
13 remaining allegations and characterizations of this paragraph.

14 **RESPONSE TO PARAGRAPH NO. 31:**

15 Google admits that businesses may choose to deploy CCAI's "agent assist" to support the
16 human customer agent with real-time suggestions (including support articles) and a transcript of
17 the prior conversation with the virtual agent. To the extent this paragraph purports to quote in part
18 the contents of a document, which speaks for itself, Google refers to the document itself for its full
19 content. This paragraph otherwise contains Plaintiffs' characterizations and legal theory in this
20 action, which do not require a response. To the extent a response is required, Google denies the
21 remaining allegations and characterizations of this paragraph.

22 **RESPONSE TO PARAGRAPH NO. 32:**

23 Google admits that businesses may choose to deploy CCAI's "agent assist" to support the
24 human customer agent with real-time suggestions (including support articles) and a transcript of
25 the prior conversation with the virtual agent. To the extent this paragraph purports to quote in part
26 the contents of a video, which speaks for itself, Google refers to the video itself for its full content.
27 This paragraph otherwise contains Plaintiffs' characterizations and legal theory in this action,
28

1 which do not require a response. To the extent a response is required, Google denies the remaining
 2 allegations and characterizations of this paragraph.

3 **RESPONSE TO PARAGRAPH NO. 33:**

4 Google admits that businesses may choose to deploy CCAI's "agent assist" to support the
 5 human customer agent with real-time suggestions (including support articles) and a transcript of
 6 the prior conversation with the virtual agent. To the extent this paragraph purports to quote in part
 7 the contents of a video, which speaks for itself, Google refers to the video itself for its full content.
 8 This paragraph otherwise contains Plaintiffs' characterizations and legal theory in this action,
 9 which do not require a response. To the extent a response is required, Google denies the remaining
 10 allegations and characterizations of this paragraph.

11 **RESPONSE TO PARAGRAPH NO. 34:**

12 Google admits that Verizon, GoDaddy, and Home Depot are or have previously been
 13 customers of Google. Google denies the allegations as to Hulu. This paragraph otherwise contains
 14 Plaintiffs' characterizations and legal theory in this action, which do not require a response. To the
 15 extent a response is required, Google lacks sufficient information to admit or deny the remaining
 16 allegations of this paragraph, and on that basis denies them.

17 **RESPONSE TO PARAGRAPH NO. 35:**

18 This paragraph purports to quote in part the contents of a document, which speaks for itself.
 19 Google refers to the document itself for its full content. This paragraph otherwise contains
 20 Plaintiffs' characterizations, which do not require a response. To the extent a response is required,
 21 Google denies the remaining allegations and characterizations of this paragraph.

22 **RESPONSE TO PARAGRAPH NO. 36:**

23 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 24 do not require a response. To the extent a response is required, Google denies the allegations and
 25 characterizations of this paragraph.

26 **RESPONSE TO PARAGRAPH NO. 37:**

27 This paragraph purports to quote in part the contents of a document, which speaks for itself.
 28 Google refers to the document itself for its full content. This paragraph otherwise contains

1 Plaintiffs' characterizations and legal theory in this action, which do not require a response. To the
 2 extent a response is required, Google denies the remaining allegations and characterizations of this
 3 paragraph.

4 **RESPONSE TO PARAGRAPH NO. 38:**

5 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 6 do not require a response. To the extent a response is required, Google denies the allegations and
 7 characterizations of this paragraph.

8 **RESPONSE TO PARAGRAPH NO. 39:**

9 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 10 do not require a response. To the extent a response is required, Google denies the allegations and
 11 characterizations of this paragraph.

12 **RESPONSE TO PARAGRAPH NO. 40:**

13 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 14 do not require a response. To the extent a response is required, Google denies the allegations and
 15 characterizations of this paragraph.

16 **RESPONSE TO PARAGRAPH NO. 41:**

17 This paragraph contains only a legal conclusion, which does not require a response. To the
 18 extent a response is required, Google denies the allegations and characterizations of this paragraph.

19 **RESPONSE TO PARAGRAPH NO. 42:**

20 Google lacks sufficient information to admit or deny the allegations of this paragraph, and
 21 on that basis denies them.

22 **RESPONSE TO PARAGRAPH NO. 43:**

23 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 24 do not require a response. To the extent a response is required, Google denies the allegations and
 25 characterizations of this paragraph.

26 **RESPONSE TO PARAGRAPH NO. 44:**

27 Google lacks sufficient information to admit or deny the allegations of the first sentence of
 28 this paragraph, and on that basis denies them. This paragraph otherwise contains Plaintiffs'

1 characterizations and legal theory in this action, which do not require a response. To the extent a
 2 response is required, Google denies the remaining allegations and characterizations of this
 3 paragraph.

4 **RESPONSE TO PARAGRAPH NO. 45:**

5 Google lacks sufficient information to admit or deny the allegations of the first sentence of
 6 this paragraph, and on that basis denies them. This paragraph otherwise contains Plaintiffs'
 7 characterizations and legal theory in this action, which do not require a response. To the extent a
 8 response is required, Google denies the remaining allegations and characterizations of this
 9 paragraph.

10 **RESPONSE TO PARAGRAPH NO. 46:**

11 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 12 do not require a response. To the extent a response is required, Google denies the allegations and
 13 characterizations of this paragraph.

14 **RESPONSE TO PARAGRAPH NO. 47:**

15 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 16 do not require a response. To the extent a response is required, Google denies the allegations and
 17 characterizations of this paragraph.

18 **RESPONSE TO PARAGRAPH NO. 48:**

19 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 20 do not require a response. To the extent a response is required, Google denies the allegations and
 21 characterizations of this paragraph.

22 **RESPONSE TO PARAGRAPH NO. 49:**

23 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 24 do not require a response. To the extent a response is required, Google denies the allegations and
 25 characterizations of this paragraph.

26 **RESPONSE TO PARAGRAPH NO. 50:**

27 Google lacks sufficient information to admit or deny the allegations of this paragraph, and
 28 on that basis denies them.

1 RESPONSE TO PARAGRAPH NO. 51:

2 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 3 do not require a response. To the extent a response is required, Google denies the allegations and
 4 characterizations of this paragraph.

5 RESPONSE TO PARAGRAPH NO. 52:

6 Google lacks sufficient information to admit or deny the allegations of the first sentence of
 7 this paragraph, and on that basis denies them. This paragraph otherwise contains Plaintiffs'
 8 characterizations and legal theory in this action, which do not require a response. To the extent a
 9 response is required, Google denies the remaining allegations and characterizations of this
 10 paragraph.

11 RESPONSE TO PARAGRAPH NO. 53:

12 Google lacks sufficient information to admit or deny the allegations of the first sentence of
 13 this paragraph, and on that basis denies them. This paragraph otherwise contains Plaintiffs'
 14 characterizations and legal theory in this action, which do not require a response. To the extent a
 15 response is required, Google denies the remaining allegations and characterizations of this
 16 paragraph.

17 RESPONSE TO PARAGRAPH NO. 54:

18 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 19 do not require a response. To the extent a response is required, Google denies the allegations and
 20 characterizations of this paragraph.

21 RESPONSE TO PARAGRAPH NO. 55:

22 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 23 do not require a response. To the extent a response is required, Google denies the allegations and
 24 characterizations of this paragraph.

25 RESPONSE TO PARAGRAPH NO. 56:

26 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 27 do not require a response. To the extent a response is required, Google denies the allegations and
 28 characterizations of this paragraph.

1 RESPONSE TO PARAGRAPH NO. 57:

2 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 3 do not require a response. To the extent a response is required, Google denies the allegations and
 4 characterizations of this paragraph.

5 RESPONSE TO PARAGRAPH NO. 58:

6 Google lacks sufficient information to admit or deny the allegations of this paragraph, and
 7 on that basis denies them.

8 RESPONSE TO PARAGRAPH NO. 59:

9 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 10 do not require a response. To the extent a response is required, Google denies the allegations and
 11 characterizations of this paragraph.

12 RESPONSE TO PARAGRAPH NO. 60:

13 Google lacks sufficient information to admit or deny the allegations of the first sentence of
 14 this paragraph, and on that basis denies them. This paragraph otherwise contains Plaintiffs'
 15 characterizations and legal theory in this action, which do not require a response. To the extent a
 16 response is required, Google denies the remaining allegations and characterizations of this
 17 paragraph.

18 RESPONSE TO PARAGRAPH NO. 61:

19 Google lacks sufficient information to admit or deny the allegations of the first sentence of
 20 this paragraph, and on that basis denies them. This paragraph otherwise contains Plaintiffs'
 21 characterizations and legal theory in this action, which do not require a response. To the extent a
 22 response is required, Google denies the remaining allegations and characterizations of this
 23 paragraph.

24 RESPONSE TO PARAGRAPH NO. 62:

25 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 26 do not require a response. To the extent a response is required, Google denies the allegations and
 27 characterizations of this paragraph.

28

1 RESPONSE TO PARAGRAPH NO. 63:

2 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 3 do not require a response. To the extent a response is required, Google denies the allegations and
 4 characterizations of this paragraph.

5 RESPONSE TO PARAGRAPH NO. 64:

6 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 7 do not require a response. To the extent a response is required, Google denies the allegations and
 8 characterizations of this paragraph.

9 RESPONSE TO PARAGRAPH NO. 65:

10 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 11 do not require a response. To the extent a response is required, Google denies the allegations and
 12 characterizations of this paragraph.

13 RESPONSE TO PARAGRAPH NO. 66:

14 Google lacks sufficient information to admit or deny the allegations of this paragraph, and
 15 on that basis denies them.

16 RESPONSE TO PARAGRAPH NO. 67:

17 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 18 do not require a response. To the extent a response is required, Google denies the allegations and
 19 characterizations of this paragraph.

20 RESPONSE TO PARAGRAPH NO. 68:

21 Google lacks sufficient information to admit or deny the allegations of the first sentence of
 22 this paragraph, and on that basis denies them. This paragraph otherwise contains Plaintiffs'
 23 characterizations and legal theory in this action, which do not require a response. To the extent a
 24 response is required, Google denies the remaining allegations and characterizations of this
 25 paragraph.

26 RESPONSE TO PARAGRAPH NO. 69:

27 Google lacks sufficient information to admit or deny the allegations of the first sentence of
 28 this paragraph, and on that basis denies them. This paragraph otherwise contains Plaintiffs'

1 characterizations and legal theory in this action, which do not require a response. To the extent a
 2 response is required, Google denies the remaining allegations and characterizations of this
 3 paragraph.

4 **RESPONSE TO PARAGRAPH NO. 70:**

5 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 6 do not require a response. To the extent a response is required, Google denies the allegations and
 7 characterizations of this paragraph.

8 **RESPONSE TO PARAGRAPH NO. 71:**

9 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 10 do not require a response. To the extent a response is required, Google denies the allegations and
 11 characterizations of this paragraph.

12 **RESPONSE TO PARAGRAPH NO. 72:**

13 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 14 do not require a response. To the extent a response is required, Google denies the allegations and
 15 characterizations of this paragraph.

16 **RESPONSE TO PARAGRAPH NO. 73:**

17 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 18 do not require a response. To the extent a response is required, Google denies the allegations and
 19 characterizations of this paragraph.

20 **RESPONSE TO PARAGRAPH NO. 74:**

21 Google lacks sufficient information to admit or deny the allegations of this paragraph, and
 22 on that basis denies them.

23 **RESPONSE TO PARAGRAPH NO. 75:**

24 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 25 do not require a response. To the extent a response is required, Google denies the allegations and
 26 characterizations of this paragraph.

27

28

1 RESPONSE TO PARAGRAPH NO. 76:

2 Google lacks sufficient information to admit or deny the allegations of the first sentence of
 3 this paragraph, and on that basis denies them. This paragraph otherwise contains Plaintiffs’
 4 characterizations and legal theory in this action, which do not require a response. To the extent a
 5 response is required, Google denies the remaining allegations and characterizations of this
 6 paragraph.

7 RESPONSE TO PARAGRAPH NO. 77:

8 Google lacks sufficient information to admit or deny the allegations of the first sentence of
 9 this paragraph, and on that basis denies them. This paragraph otherwise contains Plaintiffs’
 10 characterizations and legal theory in this action, which do not require a response. To the extent a
 11 response is required, Google denies the remaining allegations and characterizations of this
 12 paragraph.

13 RESPONSE TO PARAGRAPH NO. 78:

14 This paragraph contains Plaintiffs’ characterizations and legal theory in this action, which
 15 do not require a response. To the extent a response is required, Google denies the allegations and
 16 characterizations of this paragraph.

17 RESPONSE TO PARAGRAPH NO. 79:

18 This paragraph contains Plaintiffs’ characterizations and legal theory in this action, which
 19 do not require a response. To the extent a response is required, Google denies the allegations and
 20 characterizations of this paragraph.

21 RESPONSE TO PARAGRAPH NO. 80:

22 This paragraph contains Plaintiffs’ characterizations and legal theory in this action, which
 23 do not require a response. To the extent a response is required, Google denies the allegations and
 24 characterizations of this paragraph.

25 RESPONSE TO PARAGRAPH NO. 81:

26 This paragraph contains Plaintiffs’ characterizations and legal theory in this action, which
 27 do not require a response. To the extent a response is required, Google denies the allegations and
 28 characterizations of this paragraph.

1 RESPONSE TO PARAGRAPH NO. 82:

2 Google lacks sufficient information to admit or deny the allegations of this paragraph, and
 3 on that basis denies them.

4 RESPONSE TO PARAGRAPH NO. 83:

5 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 6 do not require a response. To the extent a response is required, Google denies the allegations and
 7 characterizations of this paragraph.

8 RESPONSE TO PARAGRAPH NO. 84:

9 Google lacks sufficient information to admit or deny the allegations of the first sentence of
 10 this paragraph, and on that basis denies them. This paragraph otherwise contains Plaintiffs'
 11 characterizations and legal theory in this action, which do not require a response. To the extent a
 12 response is required, Google denies the remaining allegations and characterizations of this
 13 paragraph.

14 RESPONSE TO PARAGRAPH NO. 85:

15 Google lacks sufficient information to admit or deny the allegations of the first sentence of
 16 this paragraph, and on that basis denies them. This paragraph otherwise contains Plaintiffs'
 17 characterizations and legal theory in this action, which do not require a response. To the extent a
 18 response is required, Google denies the remaining allegations and characterizations of this
 19 paragraph.

20 RESPONSE TO PARAGRAPH NO. 86:

21 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 22 do not require a response. To the extent a response is required, Google denies the allegations and
 23 characterizations of this paragraph.

24 RESPONSE TO PARAGRAPH NO. 87:

25 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 26 do not require a response. To the extent a response is required, Google denies the allegations and
 27 characterizations of this paragraph.

28

1 RESPONSE TO PARAGRAPH NO. 88:

2 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 3 do not require a response. To the extent a response is required, Google denies the allegations and
 4 characterizations of this paragraph.

5 RESPONSE TO PARAGRAPH NO. 89:

6 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 7 do not require a response. To the extent a response is required, Google denies the allegations and
 8 characterizations of this paragraph.

9 RESPONSE TO PARAGRAPH NO. 90:

10 Google lacks sufficient information to admit or deny the allegations of this paragraph, and
 11 on that basis denies them.

12 RESPONSE TO PARAGRAPH NO. 91:

13 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 14 do not require a response. To the extent a response is required, Google denies the allegations and
 15 characterizations of this paragraph.

16 RESPONSE TO PARAGRAPH NO. 92:

17 Google lacks sufficient information to admit or deny the allegations of the first sentence of
 18 this paragraph, and on that basis denies them. This paragraph otherwise contains Plaintiffs'
 19 characterizations and legal theory in this action, which do not require a response. To the extent a
 20 response is required, Google denies the remaining allegations and characterizations of this
 21 paragraph.

22 RESPONSE TO PARAGRAPH NO. 93:

23 Google lacks sufficient information to admit or deny the allegations of the first sentence of
 24 this paragraph, and on that basis denies them. This paragraph otherwise contains Plaintiffs'
 25 characterizations and legal theory in this action, which do not require a response. To the extent a
 26 response is required, Google denies the remaining allegations and characterizations of this
 27 paragraph.

28

1 RESPONSE TO PARAGRAPH NO. 94:

2 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 3 do not require a response. To the extent a response is required, Google denies the allegations and
 4 characterizations of this paragraph.

5 RESPONSE TO PARAGRAPH NO. 95:

6 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 7 do not require a response. To the extent a response is required, Google denies the allegations and
 8 characterizations of this paragraph.

9 RESPONSE TO PARAGRAPH NO. 96:

10 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 11 do not require a response. To the extent a response is required, Google denies the allegations and
 12 characterizations of this paragraph.

13 RESPONSE TO PARAGRAPH NO. 97:

14 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
 15 do not require a response. To the extent a response is required, Google denies the allegations and
 16 characterizations of this paragraph.

17 RESPONSE TO PARAGRAPH NO. 98:

18 Google lacks sufficient information to admit or deny the allegations of this paragraph, and
 19 on that basis denies them.

20 RESPONSE TO PARAGRAPH NO. 99:

21 Google lacks sufficient information to admit or deny the allegations of this paragraph, and
 22 on that basis denies them.

23 RESPONSE TO PARAGRAPH NO. 100:

24 Google lacks sufficient information to admit or deny the allegations of this paragraph, and
 25 on that basis denies them.

26 RESPONSE TO PARAGRAPH NO. 101:

27 Google lacks sufficient information to admit or deny the allegations of this paragraph, and
 28 on that basis denies them.

1 RESPONSE TO PARAGRAPH NO. 102:

2 Google lacks sufficient information to admit or deny the allegations of this paragraph, and
3 on that basis denies them.

4 RESPONSE TO PARAGRAPH NO. 103:

5 Google lacks sufficient information to admit or deny the allegations of the first sentence of
6 this paragraph, and on that basis denies them. This paragraph otherwise contains Plaintiffs'
7 characterizations and legal theory in this action, which do not require a response. To the extent a
8 response is required, Google denies the remaining allegations and characterizations of this
9 paragraph.

10 RESPONSE TO PARAGRAPH NO. 104:

11 Google lacks sufficient information to admit or deny the allegations of the first sentence of
12 this paragraph, and on that basis denies them. This paragraph otherwise contains Plaintiffs'
13 characterizations and legal theory in this action, which do not require a response. To the extent a
14 response is required, Google denies the remaining allegations and characterizations of this
15 paragraph.

16 RESPONSE TO PARAGRAPH NO. 105:

17 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
18 do not require a response. To the extent a response is required, Google denies the allegations and
19 characterizations of this paragraph.

20 RESPONSE TO PARAGRAPH NO. 106:

21 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
22 do not require a response. To the extent a response is required, Google denies the allegations and
23 characterizations of this paragraph.

24 RESPONSE TO PARAGRAPH NO. 107:

25 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
26 do not require a response. To the extent a response is required, Google denies the allegations and
27 characterizations of this paragraph.

28

1 RESPONSE TO PARAGRAPH NO. 108:

2 This paragraph contains Plaintiffs' characterizations and legal theory in this action, which
3 do not require a response. To the extent a response is required, Google denies the allegations and
4 characterizations of this paragraph.

5 RESPONSE TO PARAGRAPH NO. 109:

6 This paragraph states legal conclusions regarding class certification to which no response
7 is required. To the extent a response is required, Google denies those allegations and generally
8 denies that a class can be certified in this case.

9 RESPONSE TO PARAGRAPH NO. 110:

10 This paragraph states legal conclusions regarding class certification to which no response
11 is required. To the extent a response is required, Google denies those allegations and generally
12 denies that a class can be certified in this case.

13 RESPONSE TO PARAGRAPH NO. 111:

14 This paragraph states legal conclusions regarding class certification to which no response
15 is required. To the extent a response is required, Google denies those allegations and generally
16 denies that a class can be certified in this case.

17 RESPONSE TO PARAGRAPH NO. 112:

18 This paragraph states legal conclusions regarding class certification to which no response
19 is required. To the extent a response is required, Google denies those allegations and generally
20 denies that a class can be certified in this case.

21 RESPONSE TO PARAGRAPH NO. 113:

22 This paragraph states legal conclusions regarding class certification to which no response
23 is required. To the extent a response is required, Google denies those allegations and generally
24 denies that a class can be certified in this case.

25 RESPONSE TO PARAGRAPH NO. 114:

26 This paragraph states legal conclusions regarding class certification to which no response
27 is required. To the extent a response is required, Google denies those allegations and generally
28 denies that a class can be certified in this case.

1 RESPONSE TO PARAGRAPH NO. 115:

2 This paragraph states legal conclusions regarding class certification to which no response
 3 is required. To the extent a response is required, Google denies those allegations and generally
 4 denies that a class can be certified in this case.

5 RESPONSE TO PARAGRAPH NO. 116:

6 This paragraph states legal conclusions regarding class certification to which no response
 7 is required. To the extent a response is required, Google denies those allegations and generally
 8 denies that a class can be certified in this case.

9 RESPONSE TO PARAGRAPH NO. 117:

10 This paragraph states legal conclusions regarding class certification to which no response
 11 is required. To the extent a response is required, Google denies those allegations and generally
 12 denies that a class can be certified in this case.

13 RESPONSE TO PARAGRAPH NO. 118:

14 This paragraph states legal conclusions regarding class certification to which no response
 15 is required. To the extent a response is required, Google denies those allegations and generally
 16 denies that a class can be certified in this case.

17 RESPONSE TO PARAGRAPH NO. 119:

18 This paragraph states legal conclusions regarding class certification to which no response
 19 is required. To the extent a response is required, Google denies those allegations and generally
 20 denies that a class can be certified in this case.

21 RESPONSE TO PARAGRAPH NO. 120:

22 This paragraph contains characterizations of Plaintiffs' allegations to which no response is
 23 required.

24 RESPONSE TO PARAGRAPH NO. 121:

25 This paragraph contains characterizations of Plaintiffs' allegations and legal conclusions
 26 regarding class certification to which no response is required. To the extent a response is required,
 27 Google denies those allegations and generally denies that a class can be certified in this case.

28

1 RESPONSE TO PARAGRAPH NO. 122:

2 This paragraph purports to quote in part the contents of a California state court decision,
 3 which speaks for itself. Google refers to the decision itself for its full content. Google denies any
 4 remaining allegations and characterizations of this paragraph.

5 RESPONSE TO PARAGRAPH NO. 123:

6 To the extent this paragraph purports to quote from a statute, Google refers to the statute
 7 itself for its full content. This paragraph otherwise states legal conclusions to which no response
 8 is required. To the extent a response is required, Google denies the allegations and characterizations
 9 of this paragraph.

10 RESPONSE TO PARAGRAPH NO. 124:

11 This paragraph states legal conclusions to which no response is required. To the extent a
 12 response is required, Google denies the allegations and characterizations of this paragraph.

13 RESPONSE TO PARAGRAPH NO. 125:

14 This paragraph states legal conclusions to which no response is required. To the extent a
 15 response is required, Google denies the allegations and characterizations of this paragraph.

16 RESPONSE TO PARAGRAPH NO. 126:

17 This paragraph states legal conclusions to which no response is required. To the extent a
 18 response is required, Google denies the allegations and characterizations of this paragraph.

19 RESPONSE TO PARAGRAPH NO. 127:

20 This paragraph states legal conclusions to which no response is required. To the extent a
 21 response is required, Google denies the allegations and characterizations of this paragraph.

22 RESPONSE TO PARAGRAPH NO. 128:

23 This paragraph states legal conclusions to which no response is required. To the extent a
 24 response is required, Google denies the allegations and characterizations of this paragraph.

25 RESPONSE TO PARAGRAPH NO. 129:

26 This paragraph states legal conclusions to which no response is required. To the extent a
 27 response is required, Google denies the allegations and characterizations of this paragraph.

28

1 RESPONSE TO PARAGRAPH NO. 130:

2 This paragraph states legal conclusions to which no response is required. To the extent a
 3 response is required, Google denies the allegations and characterizations of this paragraph.

4 RESPONSE TO PARAGRAPH NO. 131:

5 This paragraph contains characterizations of Plaintiffs' allegations to which no response is
 6 required.

7 RESPONSE TO PARAGRAPH NO. 132:

8 This paragraph contains characterizations of Plaintiffs' allegations and legal conclusions
 9 regarding class certification to which no response is required. To the extent a response is required,
 10 Google denies those allegations and generally denies that a class can be certified in this case.

11 RESPONSE TO PARAGRAPH NO. 133:

12 This paragraph purports to quote in part the contents of a statute, which speaks for itself.
 13 Google refers to the statute itself for its full content. Google denies the remaining allegations and
 14 characterizations of this paragraph.

15 RESPONSE TO PARAGRAPH NO. 134:

16 This paragraph purports to quote in part the contents of a statute, which speaks for itself.
 17 Google refers to the statute itself for its full content. Google denies the remaining allegations and
 18 characterizations of this paragraph.

19 RESPONSE TO PARAGRAPH NO. 135:

20 This paragraph states legal conclusions to which no response is required. To the extent a
 21 response is required, Google denies the allegations and characterizations of this paragraph.

22 RESPONSE TO PARAGRAPH NO. 136:

23 This paragraph states legal conclusions to which no response is required. To the extent a
 24 response is required, Google denies the allegations and characterizations of this paragraph.

25 RESPONSE TO PARAGRAPH NO. 137:

26 This paragraph states legal conclusions to which no response is required. To the extent a
 27 response is required, Google denies the allegations and characterizations of this paragraph.

28

RESPONSE TO PARAGRAPH NO. 138:

This paragraph states legal conclusions to which no response is required. To the extent a response is required, Google denies the allegations and characterizations of this paragraph.

RESPONSE TO PARAGRAPH NO. 139:

This paragraph states legal conclusions to which no response is required. To the extent a response is required, Google denies the allegations and characterizations of this paragraph.

RESPONSE TO PARAGRAPH NO. 140:

This paragraph states legal conclusions to which no response is required. To the extent a response is required, Google denies the allegations and characterizations of this paragraph.

RESPONSE TO PARAGRAPH NO. 141:

This paragraph states legal conclusions to which no response is required. To the extent a response is required, Google denies the allegations and characterizations of this paragraph.

PRAYER FOR RELIEF

Google denies that Plaintiffs or the proposed classes are entitled to any relief in this action.

JURY TRIAL

Google admits that Plaintiffs purport to demand a trial by jury of all issues so triable.

AFFIRMATIVE DEFENSES**First Affirmative Defense: Consent**

The Complaint, and each claim stated therein, is barred, in whole or in part, because Plaintiffs consented to Google's receipt and use of the information at issue. When users call the customer service number of a company using CCAI, they are informed that their calls may be recorded or similar. By remaining on the line, Plaintiffs have consented to all of Google's alleged practices and their claims are barred.

Second Affirmative Defense: Failure to Mitigate Damages

The Complaint, and each claim stated therein, is barred, in whole or in part, because Plaintiffs failed to mitigate any damages they claim they suffered, and they are therefore barred from recovering mitigatable damages.

Third Affirmative Defense: Necessary Incident to Rendition of Services

The Complaint, and each claim therein, is barred, in whole or in part, because at all relevant times, Google's actions were a necessary incident to the rendition of services.

Fourth Affirmative Defense: Statute of Limitations/Laches

The Complaint, and each claim stated therein, is barred, in whole or in part, because the applicable statute of limitations has elapsed and/or the equitable doctrine of laches applies to the extent Plaintiffs became aware of the conduct alleged in their complaint and did not act upon that awareness or exercise sufficient diligence within the required time period.

Fifth Affirmative Defense: Unjust Enrichment

The Complaint, and each claim stated therein, is barred in whole or in part because any recovery by Plaintiffs would constitute unjust enrichment of Plaintiffs. In particular, the claims in the Complaint are barred, in whole or in part, to the extent that Plaintiffs have used and/or benefited from any of Google's services that are enabled by the practices that Plaintiffs challenge.

Sixth Affirmative Defense: Unconstitutional Damages

Plaintiffs and the putative class members seek improper damages in violation of the United States Constitution and other applicable law. Any award of statutory or punitive damages would constitute an unconstitutional penalty under the circumstances of this case, and would violate due process and equal protection guarantees, and other substantive and procedural safeguards afforded by the First, Fifth, and Fourteenth Amendments to the United States Constitution, and comparable state constitutional provisions.

Seventh Affirmative Defense: No Private Information

Plaintiffs' claims are barred and they lack injury, harm, and standing because the information that they shared with live customer service agents is not private information.

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1 Dated: March 17, 2025

COOLEY LLP

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